



# Reduction-in-Force/Staff Reduction

## *Sample RIF Process Steps for Layoffs*

<b>1. Determine that a Reduction-in-Force (RIF) is appropriate based on budget/funding, outsourcing of function, internal reorganization, etc.</b>	
<b>2. Determine the scope of the RIF</b>	
	Identify the competitive area(s) to be affected. Examples include, but are not limited to, a particular worksite, a budgetary division of the agency, or a particular function.
<b>3. Determine the job codes within the competitive area(s) that will be affected by the RIF and the effective date(s)</b>	
<b>4. Determine whether a competitive process is needed to identify affected employees and/or the effective date of RIF for each employee</b>	
	If all employees in an affected job code within a competitive area will be reduced the same date, then a competitive process is not needed.
	If some employees in a job code will be reduced and others will remain, then a competitive process must be defined.
	If employees in a particular job code within a particular competitive area will be reduced on different dates, then a competitive process must be defined.
<b>5. Review the employment status of employees in affected jobs within the competitive area for the considerations listed below</b>	
	Classified employees: <ul style="list-style-type: none"> <li>• If a competitive process is required, then the competitive process outlined in State Personnel Board Rule 25 must be used for classified employees.</li> <li>• A Reduction-in-Force Plan must be submitted to the Department of Administrative Services for approval before any action is taken.</li> <li>• Notices to classified employees must contain specific information and be issued at least 30 calendar days in advance.</li> </ul>
	Very Rare → Before initiating a layoff, employees eligible for involuntary separation retirement benefits (i.e., established ERS membership before 4/1/1972 and have more than 18 years of state service) should be transferred to an appropriate position that will not be reduced, if possible. If it is determined that such an employee should be separated via RIF, then the State Personnel Oversight Commission would have to approve the action beforehand.
	Rare → When a RIF involves layoff, employees on contingent leave are separated first.
	Rare → When a RIF involves layoff, classified employees on working test following a promotion revert back to the lower job (prior to promotion) and compete in the lower job if such job is in the competitive area.
	Consider retirement eligibility dates for affected employees to determine whether the date of layoff can effectively be structured to allow an employee(s) to reach a retirement milestone.
<b>6. Define the competitive process(es), if needed</b>	
	Classified employees: <ul style="list-style-type: none"> <li>• Compute retention credits as defined in State Personnel Board Rule 25, using performance evaluations from the previous two years and years of continuous state service.</li> <li>• Determine whether any competing employees are veterans of a period of</li> </ul>



## Reduction-in-Force/Staff Reduction

### *Sample RIF Process Steps for Layoffs*

	<p>armed conflict. If so, they are higher in the order of retention as follows:</p> <ul style="list-style-type: none"> <li>➤ First impacted are non-veterans with less than successful evaluation ratings;</li> <li>➤ Second impacted are veterans with less than successful evaluation ratings;</li> <li>➤ Third impacted are non-veterans with successful evaluation ratings;</li> <li>➤ Last impacted are veterans with successful evaluation ratings.</li> </ul>
	<p>Unclassified employees:</p> <ul style="list-style-type: none"> <li>• The agency has more discretion in determining the order of retention.</li> <li>• May consider using classified retention credits method.</li> <li>• May want to consider some combination of performance, tenure, knowledge, skills, abilities, competencies, and discipline history.</li> </ul>
<b>7. Identify who will be reduced and who will be retained</b>	
<b>8. Review for possible legal exposures resulting from staff reduction</b>	
	<p>EEO impact:</p> <ul style="list-style-type: none"> <li>• Compare demographic make-up of the organization before and after the RIF.</li> <li>• Look for disparate impact on a particular demographic<sup>1</sup> (i.e., RIF impacts one group more than 20% more than it impacts another demographic group).</li> </ul>
	Determine whether affected employees engaged in recent protected activity.
	Ensure the staff reduction decisions are appropriate and non-discriminatory.
<b>9. Determine cost of staff reduction</b>	
	<ul style="list-style-type: none"> <li>• Annual leave payout</li> <li>• FLSA compensatory time payout</li> <li>• Employer portion of service credit toward retirement</li> </ul>
	Communicate costs with internal Fiscal Services to determine budget impact
<b>10. Correspond with the Department of Administrative Services</b>	
	<p>If classified employees are involved, then ...</p> <ul style="list-style-type: none"> <li>• Complete the RIF tool<sup>2</sup> available on DOAS' website or otherwise complete a RIF Plan.</li> <li>• RIF Plan elements include: <ul style="list-style-type: none"> <li>➤ The reasons for Reduction-in-Force;</li> <li>➤ Proposed effective date(s);</li> <li>➤ Definition of competitive area (i.e., the in-scope segments of the agency – See step #2, above.);</li> <li>➤ Names of affected classified employees.</li> </ul> </li> <li>• Additional RIF Plan elements to include if a competitive process is required (See step #4, above) <ul style="list-style-type: none"> <li>➤ Cutoff date for performance evaluations that will be reviewed for retention credits;</li> <li>➤ List of employees in each competitive job in order of retention;</li> </ul> </li> <li>• Additional RIF Plan elements to include if applicable: <ul style="list-style-type: none"> <li>➤ Justification for retaining employees lower in the order of retention over</li> </ul> </li> </ul>

<sup>1</sup> A Disparate Impact Tool is available in the RIF/Furlough Toolkit.

<sup>2</sup> The RIF tool may be used as the RIF Plan.



## Reduction-in-Force/Staff Reduction

### *Sample RIF Process Steps for Layoffs*

	<p>employees higher in the order of retention;</p> <ul style="list-style-type: none"> <li>➤ The manner for determining order of retention when employees are tied in retention credits and one (or more), but not all, will be affected by Reduction-in-Force on a particular date.</li> <li>• Submit the RIF Plan for DOAS' approval.</li> </ul>
	If no classified employees are involved, then send DOAS notification of the planned RIF, including jobs affected, number of employees, and effective date(s). No approval is needed.
	Keep a copy of the notice; distribute copies to the agency's Office of Planning and Budget analyst and to appropriate internal officials.
<b>11. Notify Legislature if 25+ employees to be terminated or 25+ positions to be eliminated</b>	
	<p>Send notice of upcoming staff reduction to the President of the Georgia Senate and the Speaker of the Georgia House at least 15 calendar days before notifying employees. Include:</p> <ul style="list-style-type: none"> <li>• The facilities &amp; operations affected;</li> <li>• Estimated number of employees affected;</li> <li>• Reasons for proposed action.</li> </ul>
<b>12. Meet with affected staff and provide written notice of RIF<sup>3</sup></b>	
	<p>Notice to classified employees must:</p> <ul style="list-style-type: none"> <li>• Be received at least 30 calendar days in advance of the action;</li> <li>• Identify the action that will be taken and the effective date;</li> <li>• Explain the employee's rights of appeal;</li> <li>• Identify any opportunities for continued employment or for applying for employment with an organization assuming the employee's functions;</li> <li>• Explain rights and options related to employment benefits, including retirement and insurance.</li> </ul>
	Notice to unclassified employees may be similar, except there are no appeal rights for unclassified employees. The 30-day notice is not mandatory, but should be considered to allow employees an opportunity to plan for their changed circumstances.
	Keep copies of the notices for personnel files and distribute copies internally, as determined appropriate.
<b>13. Assist affected staff with outplacement, when possible</b>	
<b>14. On last day of employment, provide final employment documents</b>	
	<ul style="list-style-type: none"> <li>• Letter confirming separation and final pay information</li> <li>• DOL-800, Separation Notice</li> <li>• Application for Refund of Retirement Contributions</li> </ul>
	Keep copies of the notices for personnel files and distribute copies internally, as determined appropriate.

<sup>3</sup> You may wish to give employees as much advance notice as possible that layoffs are coming. However, it is important to wait until the agency receives a RIF Plan approval from DOAS before providing official written notice to classified employees.